

REMARKS

Objection to the use of the term "voice recognition"

The disclosure and claims stand objected to for using the term "voice recognition" instead of "speech recognition". Applicants respectfully submit that the term "voice recognition" is not recited in the presently submitted disclosure or claims.

Objection to claim 7

Claim 7 stands objected to as being of improper dependent form. Applicants have cancelled claim 7, according to the suggestion of the Examiner. Applicants have also made claim 8, which was originally dependent on claim 7, dependent on claim 1.

Objection to claims 29 and 32

Claims 29 and 32 stand objected to as having improper dependency. Applicants have amended the dependency of claims 29 and 32, which now both depend on claim 22, according to the suggestions of the Examiner.

Rejection under 35 U.S.C §103

Claims 1, 2, 7-10, 22, 23, 29-31, 45, 50 and 52 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,243,683 to Peters et al. in view of U.S. Pat. No. 5,682,030 to Kubon. Claims 3-4 and 24-25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Peters in view Kubon and further in view of U.S. Pat. No. 6,754,373 to de Cuetos et al. Claims 11 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Peters in view Kubon and further in view of U.S. Pat. No. 6,012,102 to Shachar. Claim 50 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Peters in view Kubon and further in view of U.S. Pat. No. 6,230,138 to Everhart. The Applicants respectfully disagree.

Rejection of claim 1

Claim 1 has been clarified and now recites that the step of "detecting when a user is looking towards the apparatus" comprises determining "if the camera system is

pointing towards the apparatus". This amendment is supported by the specification as filed, in particular original claim 1, which recited determining "if the user is looking towards the apparatus" with a camera system "arranged to point in the direction the user is facing or looking". No new matter has been added.

In page 5 of the Action, the Examiner asserts that it would have been obvious to "modify Peters to use a head mounted camera, as disclosed by Kubon, to recognize the apparatus in the video signal to activate the speech recognition device, rather than using a camera mounted on the apparatus to recognize when the user was looking at the apparatus, since using the head mounted device would only require one camera for a plurality of apparatuses, rather than a separate camera for each apparatus".

The Applicants note that Peters discloses controlling a plurality of apparatuses (a television and a PC computer, see column 1, lines 61-62) through the speech recognition device of the PC, but does not disclose that a plurality of camera be needed. The Applicants therefore submit that Peters already teaches using "one camera for a plurality of apparatuses, rather than a separate camera for each apparatus", but teaches mounting the camera in one of the apparatuses and thus teaches away from arranging the camera in another place, in particular on the head of the user.

Further, the Examiner asserts that "the amount of processing needed to recognize a barcode in a video signal is much less than the amount needed to recognize whether a user's face is looking at a camera", and concludes that "the head mounted camera would reduce the delay in processing the signal from the camera".

The Applicants note that Peters does not suggest there is any issue of processing delay, and submit that Peters therefore comprises no motivation for trying to reduce the delay in processing the signal from the camera as suggested by the Examiner. Further, the Applicants submit that the Examiner fails to show how eventually choosing to replace face recognition by bar-code recognition would lead one skilled in the art to move the camera away from the apparatus of Peters, in particular since a far more straightforward and cheap approach would be to mount a bar-code on a headband of the user.

Peters discloses (see Fig. 2) an apparatus 107,206 comprising a camera system 108 to "detect gestures made by a user" (see column 2, line 5). The camera system of Peters is not provided for pointing toward the apparatus 107,206.

Kubon discloses (see Fig. 23) an apparatus 2320 comprising a camera system 2301 for "digitizing and decoding a bar code" (column 2, lines 18-20). The camera system of Kubon is not provided for pointing toward the apparatus 2320.

The Applicants submit that even if, notwithstanding the lack of motivation for doing so, one skilled in the art had combined the teachings of Peters and Kubon, neither Peters nor Kubon disclose or suggest a method of enabling an apparatus using a camera system and processing images produced by the camera system so as to "determine if the camera system is pointing towards the apparatus", as recited in claim 1. The Applicants therefore submit that no combination of Peters and Kubon can be deemed to disclose or suggest the above feature, and submit that claim 1 is patentable over Peters in view of Kubon. Should the Examiner disagree, Applicants respectfully request him to clearly and specifically point out where Peters or Kubon discloses this feature, in accordance with 37 C.F.R. 1.104(c)(2).

Rejection of claim 22

Claim 22 has been clarified and now recites detection means comprising image processing means for determining "if the camera system is pointing towards the apparatus". This amendment is supported by the specification as filed, in particular original claim 22, which recited detection means comprising image processing means for determining "if the user is looking towards the apparatus" with a camera system "arranged to point in the direction the user is facing or looking". No new matter has been added.

The Applicants submit that the above arguments with regard to claim 1 can also be used to show that even if one skilled in the art had, despite the lack of motivation for doing so, combined the teachings of Peters and Kubon, neither Peters nor Kubon disclose or suggest an arrangement for enabling voice control of an apparatus with detection means comprising "image processing means for processing images produced by the camera system to determine if the camera system is pointing towards the

apparatus" as recited in claim 22. The Applicants therefore submit that no combination of Peters and Kubon can be deemed to disclose or suggest the above feature, and submit that claim 22 is patentable over Peters in view of Kubon.

Rejection of claims 2, 7-10, 23, 29-31, 45, 50 and 51

Claim 7 has been canceled. Claims 2, 8-10 and 50-51 depend directly or indirectly on claim 1, and claims 23, 29-31 and 45 depend directly or indirectly on claim 22. The Applicants submit that at least in view of their dependencies, claims 2, 8-10, 23, 29-31, 45, 50 and 51 are patentable over Peters in view of Kubon.

Rejection of claims 3-4 and 24-25

De Cuetos discloses (see Fig. 1) an apparatus 14 comprising a camera system 12 that "*captures an image of [an] user*" (see column 3, line 41). The camera system of de Cuetos is not provided for pointing toward the apparatus 14.

The Applicants submit that the Examiner fails to demonstrate how de Cuetos would make up at least for the lack of motivation for combining Peters to Kubon. Nevertheless, the Applicants note that neither Peters, Kubon nor de Cuetos disclose or suggest a method of enabling an apparatus using a camera system and processing images produced by the camera system so as to "determine if the camera system is pointing towards the apparatus", as recited in claim 1, or an arrangement for enabling voice control of an apparatus with detection means comprising "image processing means for processing images produced by the camera system to determine if the camera system is pointing towards the apparatus" as recited in claim 22. The Applicants therefore submit that no combination of Peters, Kubon and de Cuetos can be deemed to disclose or suggest the above features, and submit that claims 1 and 22 are patentable over Peters in view of Kubon and further in view of de Cuetos. Claims 3-4 depend directly on claim 1 and claims 24-25 depend directly on claim 22. The Applicants submit that claims 4-5 and 24-25 are patentable at least in view of their dependency.

Rejection of claims 11 and 32

Shachar discloses (see Fig. 1) an apparatus 130, 140 comprising no camera system. The Applicants submit that the Examiner fails to demonstrate how Shachar would make up at least for the lack of motivation for combining Peters to Kubon. Nevertheless, the Applicants note that neither Peters, Kubon nor Shachar disclose or suggest a method as recited in claim 1, or an arrangement as recited in claim 22 involving a camera provided for pointing at the apparatus. The Applicants therefore submit that no combination of Peters, Kubon and Shachar can be deemed to disclose or suggest the above feature, and submit that claims 1 and 22 are patentable over Peters in view of Kubon and further in view of Shachar. Claim 11 depends on claim 1 and claim 32 depends directly on claim 22. The Applicants submit that claims 11 and 32 are patentable at least in view of their dependency.

Rejection of claim 52

Everhart discloses (see Fig. 1) an apparatus in a car 10 comprising no camera system. The Applicants submit that the Examiner fails to demonstrate how Everhart would make up at least for the lack of motivation for combining Peters to Kubon. Nevertheless, the Applicants note that neither Peters, Kubon nor Everhart disclose or suggest a method as recited in claim 1 involving a camera provided for pointing at the apparatus. The Applicants therefore submit that no combination of Peters, Kubon and Everhart can be deemed to disclose or suggest the above feature, and submit that claim 1 is patentable over Peters in view of Kubon and further in view of Everhart. Claim 52 depends directly on claim 1. The Applicants submit that claim 52 is patentable at least in view of its dependency.

* * *

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees that may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Post Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 12, 2005
(Date of Transmission)

Corinda Humphrey
(Name of Person Transmitting)

Corinda Humphrey
(Signature)

April 12, 2005
(Date)

Respectfully submitted,



Robert Popa
Attorney for Applicants
Reg. No. 43,010
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036
(323) 934-2300 voice
(323) 934-0202 facsimile
rpopa@ladasperry.com